

1-1 By: Fraser, Estes, Nelson, Nichols S.B. No. 362
1-2 (In the Senate - Filed December 15, 2008; February 17, 2009,
1-3 read first time and referred to Committee of the Whole Senate;
1-4 March 11, 2009, reported favorably by the following vote: Yeas 20,
1-5 Nays 12; March 11, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to requiring a voter to present proof of identification.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter A, Chapter 15, Election Code, is
1-11 amended by adding Section 15.005 to read as follows:

1-12 Sec. 15.005. NOTICE OF IDENTIFICATION REQUIREMENTS.

1-13 (a) The voter registrar of each county shall provide notice of the
1-14 identification requirements for voting prescribed by Chapter 63 and
1-15 a detailed description of those requirements with each voter
1-16 registration certificate issued under Section 13.142 or renewal
1-17 registration certificate issued under Section 14.001.

1-18 (b) The secretary of state shall prescribe the wording of
1-19 the notice to be included on the certificate under this section.

1-20 SECTION 2. Subchapter A, Chapter 31, Election Code, is
1-21 amended by adding Section 31.012 to read as follows:

1-22 Sec. 31.012. VOTER IDENTIFICATION EDUCATION. The secretary
1-23 of state and the voter registrar of each county that maintains a
1-24 website shall provide notice of the identification requirements for
1-25 voting prescribed by Chapter 63 on each entity's respective
1-26 website. The secretary of state shall prescribe the wording of the
1-27 notice to be included on the websites.

1-28 SECTION 3. Section 32.111, Election Code, is amended by
1-29 adding Subsection (c) to read as follows:

1-30 (c) The training standards adopted under Subsection (a)
1-31 must include provisions on the acceptance and handling of the
1-32 identification presented by a voter to an election officer under
1-33 Section 63.001.

1-34 SECTION 4. Subsection (a), Section 32.114, Election Code,
1-35 is amended to read as follows:

1-36 (a) The county clerk shall provide one or more sessions of
1-37 training using the standardized training program and materials
1-38 developed and provided by the secretary of state under Section
1-39 32.111 for the election judges and clerks appointed to serve in
1-40 elections ordered by the governor or a county authority. Each
1-41 election judge shall complete the training program. Each election
1-42 clerk shall complete the part of the training program relating to
1-43 the acceptance and handling of the identification presented by a
1-44 voter to an election officer under Section 63.001.

1-45 SECTION 5. Chapter 62, Election Code, is amended by adding
1-46 Section 62.016 to read as follows:

1-47 Sec. 62.016. NOTICE OF ACCEPTABLE IDENTIFICATION OUTSIDE
1-48 POLLING PLACES. The presiding judge shall post in a prominent place
1-49 on the outside of each polling location a list of the acceptable
1-50 forms of photographic and nonphotographic identification. The
1-51 notice and list must be printed using a font that is at least
1-52 24-point.

1-53 SECTION 6. Section 63.001, Election Code, is amended by
1-54 amending Subsections (b), (c), (d), and (f) and adding Subsection
1-55 (g) to read as follows:

1-56 (b) On offering to vote, a voter must present to an election
1-57 officer at the polling place the voter's voter registration
1-58 certificate and either:

1-59 (1) one form of identification listed in Section
1-60 63.0101(a); or

1-61 (2) two different forms of identification listed in
1-62 Section 63.0101(b) [to an election officer at the polling place].

1-63 (c) On presentation of the documentation required by
1-64 Subsection (b) [a registration certificate], an election officer

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2-1 shall determine whether the voter's name on the registration
 2-2 certificate is on the list of registered voters for the precinct.

2-3 (d) If the voter's name is on the precinct list of
 2-4 registered voters and the voter's identity can be verified from the
 2-5 documentation presented under Subsection (b), the voter shall be
 2-6 accepted for voting.

2-7 (f) After determining whether to accept a voter, an election
 2-8 officer shall return the voter's documentation [~~registration~~
 2-9 ~~certificate~~] to the voter.

2-10 (g) If the requirements for identification prescribed by
 2-11 Subsection (b) are not met, the voter may be accepted for
 2-12 provisional voting only under Section 63.011. An election officer
 2-13 shall inform a voter who is not accepted for voting under this
 2-14 section of the voter's right to cast a provisional ballot under
 2-15 Section 63.011.

2-16 SECTION 7. Subsection (a), Section 63.006, Election Code,
 2-17 is amended to read as follows:

2-18 (a) A voter who, when offering to vote, presents a voter
 2-19 registration certificate indicating that the voter is currently
 2-20 registered in the precinct in which the voter is offering to vote,
 2-21 but whose name is not on the precinct list of registered voters,
 2-22 shall be accepted for voting if the voter's identity can be verified
 2-23 from the documentation presented under Section 63.001(b).

2-24 SECTION 8. Subsection (a), Section 63.007, Election Code,
 2-25 is amended to read as follows:

2-26 (a) A voter who, when offering to vote, presents a voter
 2-27 registration certificate indicating that the voter is currently
 2-28 registered in a different precinct from the one in which the voter
 2-29 is offering to vote, and whose name is not on the precinct list of
 2-30 registered voters, shall be accepted for voting if the voter's
 2-31 identity can be verified from the documentation presented under
 2-32 Section 63.001(b) and the voter executes an affidavit stating that
 2-33 the voter:

2-34 (1) is a resident of the precinct in which the voter is
 2-35 offering to vote or is otherwise entitled by law to vote in that
 2-36 precinct;

2-37 (2) was a resident of the precinct in which the voter
 2-38 is offering to vote at the time that information on the voter's
 2-39 residence address was last provided to the voter registrar;

2-40 (3) did not deliberately provide false information to
 2-41 secure registration in a precinct in which the voter does not
 2-42 reside; and

2-43 (4) is voting only once in the election.

2-44 SECTION 9. Subsection (a), Section 63.008, Election Code,
 2-45 is amended to read as follows:

2-46 (a) A voter who does not present a voter registration
 2-47 certificate when offering to vote, but whose name is on the list of
 2-48 registered voters for the precinct in which the voter is offering to
 2-49 vote, shall be accepted for voting if the voter executes an
 2-50 affidavit stating that the voter does not have the voter's voter
 2-51 registration certificate in the voter's possession at the polling
 2-52 place at the time of offering to vote and the voter's identity can
 2-53 be verified from the identification presented under Section
 2-54 63.001(b) [voter presents proof of identification in a form
 2-55 described by Section 63.0101].

2-56 SECTION 10. Section 63.0101, Election Code, is amended to
 2-57 read as follows:

2-58 Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION.

2-59 (a) The following documentation is an acceptable form [~~as proof~~]
 2-60 of photo identification under this chapter:

2-61 (1) a driver's license or personal identification card
 2-62 issued to the person by the Department of Public Safety that has not
 2-63 expired or that expired no earlier than two years before the date of
 2-64 presentation [~~or a similar document issued to the person by an~~
 2-65 ~~agency of another state, regardless of whether the license or card~~
 2-66 ~~has expired~~];

2-67 (2) a United States military identification card that
 2-68 contains the person's photograph [~~form of identification~~
 2-69 ~~containing the person's photograph that establishes the person's~~

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3-1 ~~identity~~;
 3-2 (3) ~~a [birth certificate or other document confirming~~
 3-3 ~~birth that is admissible in a court of law and establishes the~~
 3-4 ~~person's identity,~~
 3-5 ~~[(4)] United States citizenship certificate [papers]~~
 3-6 ~~issued to the person that contains the person's photograph;~~
 3-7 ~~(4) [(5)] a United States passport issued to the~~
 3-8 ~~person;~~
 3-9 ~~(5) a license to carry a concealed handgun issued to~~
 3-10 ~~the person by the Department of Public Safety; or~~
 3-11 ~~(6) [official mail addressed to the person by name~~
 3-12 ~~from a governmental entity,~~
 3-13 ~~[(7)] a valid identification card that contains the~~
 3-14 ~~person's photograph and is issued by:~~
 3-15 ~~(A) an agency or institution of the federal~~
 3-16 ~~government; or~~
 3-17 ~~(B) an agency, institution, or political~~
 3-18 ~~subdivision of this state.~~
 3-19 ~~(b) The following documentation is acceptable as proof of~~
 3-20 ~~identification under this chapter:~~
 3-21 ~~(1) a copy of a current utility bill, bank statement,~~
 3-22 ~~government check, paycheck, or other government document that shows~~
 3-23 ~~the name and address of the voter;~~
 3-24 ~~(2) official mail addressed to the person by name from~~
 3-25 ~~a governmental entity;~~
 3-26 ~~(3) a certified copy of a birth certificate or other~~
 3-27 ~~document confirming birth that is admissible in a court of law and~~
 3-28 ~~establishes the person's identity;~~
 3-29 ~~(4) United States citizenship papers issued to the~~
 3-30 ~~person;~~
 3-31 ~~(5) an original or certified copy of the person's~~
 3-32 ~~marriage license or divorce decree;~~
 3-33 ~~(6) court records of the person's adoption, name~~
 3-34 ~~change, or sex change;~~
 3-35 ~~(7) an identification card issued to the person by a~~
 3-36 ~~governmental entity of this state or the United States for the~~
 3-37 ~~purpose of obtaining public benefits, including veteran's~~
 3-38 ~~benefits, Medicaid, or Medicare;~~
 3-39 ~~(8) a temporary driving permit issued to the person by~~
 3-40 ~~the Department of Public Safety;~~
 3-41 ~~(9) a pilot's license issued to the person by the~~
 3-42 ~~Federal Aviation Administration or another authorized agency of the~~
 3-43 ~~United States;~~
 3-44 ~~(10) a library card that contains the person's name~~
 3-45 ~~issued to the person by a public library located in this state; or~~
 3-46 ~~(11) a hunting or fishing license issued to a person by~~
 3-47 ~~the Parks and Wildlife Department [or~~
 3-48 ~~[(8)] any other form of identification prescribed by~~
 3-49 ~~the secretary of state].~~
 3-50 SECTION 11. Subsection (a), Section 63.011, Election Code,
 3-51 is amended to read as follows:
 3-52 (a) A person to whom Section 63.001(g), 63.008(b), or
 3-53 63.009(a) applies may cast a provisional ballot if the person
 3-54 executes an affidavit stating that the person:
 3-55 (1) is a registered voter in the precinct in which the
 3-56 person seeks to vote; and
 3-57 (2) is eligible to vote in the election.
 3-58 SECTION 12. Section 521.422, Transportation Code, is
 3-59 amended by amending Subsection (a) and adding Subsection (d) to
 3-60 read as follows:
 3-61 (a) ~~Except as provided by Subsection (d), the [The] fee for~~
 3-62 ~~a personal identification certificate is:~~
 3-63 (1) \$15 for a person under 60 years of age;
 3-64 (2) \$5 for a person 60 years of age or older; and
 3-65 (3) \$20 for a person subject to the registration
 3-66 requirements under Chapter 62, Code of Criminal Procedure.
 3-67 (d) ~~The department may not collect a fee for a personal~~
 3-68 ~~identification certificate issued to a person who states that the~~
 3-69 ~~person is obtaining the personal identification certificate for the~~

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4-1 sole purpose of satisfying Section 63.001(b)(1), Election Code,
4-2 and:
4-3 (1) who is a registered voter in this state and
4-4 presents a valid voter registration certificate; or
4-5 (2) who is eligible for registration under Section
4-6 13.001, Election Code, and submits a registration application to
4-7 the department.
4-8 SECTION 13. As soon as practicable after the effective date
4-9 of this Act:
4-10 (1) the secretary of state shall adopt the training
4-11 standards and develop the training materials required to implement
4-12 the change in law made by this Act to Section 32.111, Election Code;
4-13 and
4-14 (2) the county clerk of each county shall provide a
4-15 session of training under Section 32.114, Election Code, using the
4-16 standards adopted and materials developed to implement the change
4-17 in law made by this Act to Section 32.111, Election Code.
4-18 SECTION 14. (a) Except as provided by Subsection (b) of
4-19 this section, this Act takes effect January 1, 2010.
4-20 (b) The changes in law made by Sections 1, 2, 3, 4, and 13 of
4-21 this Act take effect September 1, 2009.

4-22 * * * * *

BILL ANALYSIS

S.B. 362
By: Fraser
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, to vote a regular ballot a voter is required only to present a voter registration certificate to an election officer. Although this requirement attempts to ensure that only registered voters receive a regular ballot on election day, it leaves a potential loophole for fraud. Individuals are not required to show proof of identification to register to vote, making it possible for an unscrupulous individual to submit several falsified voter registration applications and receive the voter registration certificates issued as a result of those applications. The current process provides no statutory standards for verifying the identity of individuals at the polling place when they present a voter registration certificate.

S.B. 362 modifies provisions requiring a voter to present proof of identification when offering to vote.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 362 amends the Election Code to require the voter registrar of each county to provide notice of the identification requirements for voting prescribed by provisions relating to the acceptance of a voter for voting and a detailed description of those requirements with each voter registration certificate or renewal registration certificate issued. The bill requires the secretary of state to prescribe the wording of the notice to be provided on the certificate. The bill makes these provisions effective September 1, 2009.

S.B. 362 requires the secretary of state and the voter registrar of each county that maintains a website to provide notice of the identification requirements for voting on each entity's respective website and requires the secretary of state to prescribe the wording of that notice. The bill requires the secretary of state, in cooperation with the appropriate nonprofit organizations as determined by the secretary of state and with each party whose nominee for governor in the most recent gubernatorial general election received 20 percent or more of the total number of votes received by all candidates for governor in the election, to establish a statewide effort to educate voters regarding the identification requirements for voting. The bill authorizes the secretary of state to use any available funds, including federal funds, to implement these provisions. The bill makes these provisions effective September 1, 2009.

S.B. 362 requires the training standards for election judges adopted by the secretary of state to include provisions on the acceptance and handling of the identification presented by a voter to an election officer in accordance with the regular procedure for accepting a voter and requires each election clerk to complete that part of the training program. The bill makes these provisions effective September 1, 2009.

81R 21732

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S.B. 362 requires the presiding judge of an election precinct to post notice with a list of the acceptable forms of photographic and nonphotographic identification in a prominent place on the outside of each polling location and requires that information to be printed using a font that is at least 24-point.

S.B. 362 requires a voter, on offering to vote, to present to an election officer at the polling place either one acceptable form of photographic identification or two acceptable forms of nonphotographic identification, rather than only the voter's voter registration certificate, and makes conforming changes. The bill makes conforming changes to provisions relating to a voter's statement of residence, a voter with the correct certificate who is not on the precinct list of registered voters, a voter with the incorrect certificate who is not on the precinct list of registered voters, and the regular procedures for accepting voters.

S.B. 362 specifies that the following documentation is an acceptable form of photographic identification for voting:

- a driver's license or personal identification card issued to the person by the Department of Public Safety (DPS) that has not expired or that expired no earlier than two years before the date of presentation;
- a United States military identification card that contains the person's photograph;
- a United States citizenship certificate issued to the person that contains the person's photograph;
- a United States passport issued to the person;
- a license to carry a concealed handgun issued to the person by the DPS; or
- a valid identification card that contains the person's photograph and is issued by an agency or institution of the federal government or of an agency, institution, or political subdivision of Texas.

S.B. 362 adds the following documentation as acceptable nonphotographic proof of identification for voting:

- the voter's voter registration certificate;
- an original or certified copy of the person's marriage license or divorce decree;
- court records of the person's adoption, name change, or sex change;
- an identification card issued to the person by a governmental entity of Texas or the United States for the purpose of obtaining public benefits, including veteran's benefits, Medicaid, or Medicare;
- a temporary driving permit issued to the person by DPS;
- a pilot's license issued to the person by the Federal Aviation Administration or another authorized agency of the United States;
- a library card that contains the person's name issued to the person by a public library located in this state; or
- a hunting or fishing license issued to a person by the Parks and Wildlife Department.

S.B. 362 amends the provision designating a copy of a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity as a form of nonphotographic proof of identification to specify that such a document is required to be certified.

81R 21732

9.132.552

S.B. 362 removes the following documentation as acceptable proof of identification for voting:

- a document similar to a driver's license or personal identification card issued to the person by an agency of another state, regardless of whether the license or card has expired;
- a non-specified form of identification containing the person's photograph that establishes the person's identity; and
- any other form of identification prescribed by the secretary of state.

S.B. 362 authorizes a voter, if the identification requirements are not met, to be accepted for provisional voting only under the provisions relating to the execution of an affidavit to cast a provisional ballot. The bill requires an election officer to inform a voter that is not accepted for voting because of failing to present the required identification of the voter's right to cast a provisional ballot under those provisions.

S.B. 362 amends the Transportation Code to prohibit DPS from collecting a fee for a personal identification certificate issued to a person who states that the person is obtaining the personal identification certificate for the sole purpose of satisfying requirements for a photographic identification for voting, who is a registered voter in Texas and presents a valid voter registration certificate or who is eligible for voter registration and submits a voter registration application to the department.

S.B. 362 requires the secretary of state, as soon as practicable after September 1, 2009, to adopt the training standards and develop the training materials required to implement the bill's provisions relating to training. The bill requires the county clerk of each county, as soon as practicable after September 1, 2009, to provide a session of training using the standards adopted and materials developed by the secretary of state. The bill makes these provisions effective September 1, 2009.

S.B. 362 repeals the following sections of the Election Code:

- Section 63.008, relating to a voter without a voter registration certificate who is on the precinct list of registered voters
- Section 63.009, relating to a voter without a voter registration certificate who is not on the precinct list of registered voters

EFFECTIVE DATE

Except as otherwise provided, January 1, 2010.

81R 21732

9.132.552

Committee of the Whole Exhibits on S.B. 362

- Exhibit 1A Senator Van de Putte 3/3/09 memo to Senator Duncan re ground rules for Committee of the Whole Public hearing.
- Exhibit 1B Senator Duncan 3/5/09 Memo to Senator Van de Putte re response to concerns about ground rules for the Committee of the Whole Senate.
- Exhibit 2 Letter to Texas Attorney General Greg Abbott re: hearing on SB 362, signed by 11 Senators.
- Exhibit 3 Senate Notice of Public Hearing on SB 362 for 3/10/09.
- Exhibit 4 Texas Senate Agenda, 3/10/09.
- Exhibit 5A 3/10/09 Tag Form signed by Senator Royce West, et. al.
- Exhibit 5B 3/10/09 Tag Form signed by Senator Mario Gallegos.
- Exhibit 6 Roll Call #2 - Senator Gallegos' Appeal of Ruling of Chair on Senator West's Point of Order.
- Exhibit 7 Institute of Public Policy Publication entitled "The Effects of Photographic Identification of Voter Turnout in Indiana: A County-Level Analysis" by Jeffrey Milyo, Report 10-2007, Revised December 2007.
- Exhibit 8 AU News publication entitled "Much-Hyped Turnout Records Fails to Materialize - Convenience Voting Fails to Boost Balloting."
- Exhibit 9 Symposium paper entitled "The Empirical Effects of Voter ID Laws: Present or Absent?" by Jason D. Wycoff, Michael W. Wagner, and David C. Wilson.
- Exhibit 10 9/10/07 Report of Heritage Center for Data Analysis entitled "New Analysis Shows Voter Identification Laws Do Not Reduce Turnout" by David B. Muhlhausen and Keri Weber Sikich.
- Exhibit 11 *New York Times* article - September 23, 2005, "Voting Reform is in the Cards," by Jimmy Carter and James Baker III.
- Exhibit 12 Harvey Kronberg's Quorum Report, April 23, 2007 entitled "Royal Masset: The Voter ID Bill Will Kill My Mother's Right to Vote."

- Exhibit 13 2/3/08 article entitled "A Clearer Picture on Voter ID" by Jimmy Carter and James A. Baker III.
- Exhibit 14 Testimony of Hans A. von Spakovsky, March 10, 2009, re S.B. 362.
- Exhibit 15A 6/11/07 Letter to Senate Committee on Rules and Administration re Hans von Spakovsky nomination.
- Exhibit 15B 6/12/2007 article entitled "Obama Raises Concerns Over FEC Nominee's Record of Partisanship."
- Exhibit 15C 10/3/07 Letter to the United States Senate from Public Citizen.
- Exhibit 16 Institute of Public Policy Publication entitled "The Effects of Photographic Identification on Voter Turnout in Indiana: A County-Level Analysis" by Jeffrey Milyo, Report 10 -2007, Revised December 2007.
- Exhibit 17 Testimony of Tova Andrea Wang, Vice President, Research Common Cause, March 10, 2009, re S.B. 362.
- Exhibit 18 Report of the Commission on Federal Election Reform entitled "Building Confidence in U.S. Elections," September 2005.
- Exhibit 19 Fifteen letters to the Honorable Dianne Feinstein, chair, and the Honorable Robert F. Bennett, ranking minority member, US Senate Committee on Rules and Administration:
1. 6/29/07 letter from Hans A. von Spakovsky
 2. 3/22/07 letter from various members of Congress
 3. 3/13/07 letter from William H. Jordan
 4. 2/08/07 letter from Gary J. Smith
 5. 2/26/07 letter from P.K. Brunelli
 6. 3/01/07 letter from J.A. Borras
 7. 2/21/07 letter from Trey Grayson
 8. 2/20/07 letter from Beverly B. Kaufman
 9. 2/19/07 letter from Todd Rokita
 10. 2/16/07 letter from Frank B. Strickland
 11. 2/14/07 letter from Tom Lowe
 12. 2/13/07 letter from T. Rogers Wade
 13. 2/14/06 letter from Johnny Isakson
 14. 2/09/07 letter from Wesley R. Kliner, Jr.
 15. 3/13/07 letter from Ray Martinez III.

- Exhibit 20 Brennan Center for Justice letter dated October 3, 2007 by Executive Director Michael Waldman, with attachments.
- Exhibit 21 Prepared Remarks of Dr. Toby Moore, Research Triangle, regarding "*Evidence of the impact of voter ID requirements, and the prospects of US DOJ preclearance*" March 10, 2009.
- Exhibit 22 Harris County map submitted by Senator Gallegos.
- Exhibit 23 Testimony of Frank B. Strickland, re S.B. 362, March 10, 2009.
- Exhibit 24 Testimony of Adam Skaggs, Counsel, Democracy Program, Brennan Center for Justice at NYU School of Law, regarding *The Myth of Voter Impersonation Fraud at the Polls*, March 10, 2009.
- Exhibit 25 Written testimony of Robert A. Simms, Georgia Deputy Secretary of Senate, presented to the United States Senate Committee on Rules and Administration, submitted by Wes Tailor.
- Exhibit 26 Testimony of J. Gerald Hebert, re S.B. 362, March 10, 2009.
- Exhibit 27 Letter from Rene Guerra, Criminal District Attorney of Hidalgo County submitted by Senator Lucio.
- Exhibit 28 3/4/09 Letter from Todd Rokita, Indiana Secretary of State, to Senator Troy Fraser, re S.B. 362.
- Exhibit 29 Testimony of Chandler Davidson, Tsanoff Professor of Public Affairs Emeritus, Rice University, regarding "The Historical Context of Senate Bill 362," March 10, 2009.
- Exhibit 30 3/06 Printout from Texas AG Website titled "Helping Stamp Out Voter Fraud in Texas" by Greg Abbott, Attorney General of Texas, submitted by Senator Shapleigh.
- Exhibit 31 Dashwood Case documents submitted by Ed Johnson, Harris County Tax Assessor-Collector and Voter Registrar's Office.
- Exhibit 32 Records from specific Harris County voting documents, submitted by Ed Johnson.

- Exhibit 33 Harris County Deceased Voting History, miscellaneous registration applications, submitted by Ed Johnson.
- Exhibit 34 Texas Voter Registration Application form submitted by Senator Huffman.
- Exhibit 35 Testimony of Daniel B. Kohrman, Senior Attorney, AARP Foundation, re S.B. 362, March 10, 2009.
- Exhibit 36 Photographs of Voter Education, Anderson County Workshop, 2008
- Exhibit 37 Testimony of Gary L. Bledsoe, President Texas NAACP, re S.B. 362, March 10, 2009.
- Exhibit 38 Number of Voters who have registered since 2006 without a driver's license number submitted by Senator Watson.
- Exhibit 39 The Special Investigations Unit Role and Investigative Efforts and Funding submitted by Senator Huffman.
- Exhibit 40 Slip opinion, U.S. Supreme Court, Crawford v. Marion County Election Board, October Term, 2007.
- Exhibit 41 U.S. Supreme Court, Crawford v. Marion County Election Board, on Writ of Certiorari to U.S. Court of Appeals for the Seventh Circuit, Brief of Texas, Alabama, Colorado, Florida, Hawaii, Michigan, Nebraska, Puerto Rico and South Dakota, as Amici Curial Supporting Respondents.
- Exhibit 42 Written testimony of Claire Oxley Gluck from Boerne, in Kendall County re S.B. 362.
- Exhibit 43 Written testimony of Hazel Cotton of Texarkana, TX, re S.B. 362.
- Exhibit 44 Written testimony of Kathy Hicks of Texarkana, TX, re S.B. 362.
- Exhibit 45 Written testimony of Donald Giles of Texarkana, TX, re S.B. 362.
- Exhibit 46 Written testimony of Anita Privett, League of Women Voters of Texas, re S.B. 362.
- Exhibit 47 Written testimony of Rosa Rosales, League of United Latin American Citizens, National President, re S.B. 362.

- Exhibit 48 Written testimony of Dustin Rynders, Advocacy Incorporated, re S.B. 362.
- Exhibit 49 Written testimony of Marsha Correia, re S.B. 362.
- Exhibit 50 Written testimony of Rachel A. Hernandez, re S.B. 362.
- Exhibit 51 10/17/08 Press release by Nelda Wells Spears, Voter Registrar Travis County entitled "40,000 Voter Registration Applications Processed in Time for Early Voting."
- Exhibit 52 Testimony of Lydia Camarillo, SVREP Vice President, re S.B. 362.
- Exhibit 53 Testimony of Luis Figueroa, Mexican American Legal Defense and Education Fund, (MALDEF), re S.B. 362.
- Exhibit 54 Written testimony of Sylvia Mendoza, re S.B. 362.
- Exhibit 55 Testimony of Dr. Rod Fluker, Sr., Executive Director for the Texas Association of Black Personnel in Higher Education, re S.B. 362.